

MICHAEL J. GARCIA
United States Attorney for the
Southern District of New York
By: SHARON FRASE (SF-4906)
Assistant United States Attorney
One St. Andrew's Plaza
New York, New York 10007
Tel. (212) 637-2329

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA.

Plaintiff, : AMENDED
- v - : DECLARATION IN SUPPORT OF
ONE 2004 GRAY GMC ENVOY, : DEFAULT JUDGMENT
: 07 Civ. 10630 (RJH)
: Defendant-in-rem.

SHARON FRASE, pursuant to 28 U.S.C. § 1746, declares under penalty of perjury as follows:

1. I am an Assistant United States Attorney in the Office of Michael J. Garcia, United States of Attorney for the Southern District of New York, attorney for plaintiff herein. I have responsibility for the above-captioned matter, and as such, I am familiar with the facts and circumstances of this proceeding. This declaration is submitted in support of plaintiff's request for a default judgment in the above-captioned case.

2. On November 27, 2007, the United States commenced a civil action for the forfeiture of the above-referenced defendant-in-rem (the "subject property") by the filing of a

Verified Complaint. A copy of the verified complaint is attached hereto as Exhibit A and is fully incorporated by reference herein.

3. On November 27, 2007, the United States filed a Warrant for Arrest of Article in Rem for the subject property. A copy of the warrant is attached hereto as Exhibit B.

4. As alleged in the complaint, the subject property was seized on June 15, 2007. After the seizure, the Drug Enforcement Administration ("DEA") commenced non-judicial forfeiture proceedings against the subject property. I have reviewed a consolidated asset tracking database maintained by agencies of the Department of Justice, including DEA, which reflects the fact that notice of the non-judicial forfeiture was published in the Wall Street Journal once in each of three successive weeks beginning on August 6, 2007.

5. On November 30, 2007, a notice letter and a copy of the verified complaint was sent by certified mail, return receipt requested, to Vince Lamont Staples, [REDACTED], Hampton, VA 23669, Pedro Pabon, [REDACTED], New York, NY 10035, and Edward D. Wilford, [REDACTED] [REDACTED], New York, NY 10007. These are the only persons known by the Government to have a potential interest in subject property. The notice letters are attached hereto as Exhibit C.

6. Notice of the verified complaint and in rem warrant against the subject property was published in the New

York Law Journal on February 13, 2008, and proof of such publication was filed with the Clerk of this Court on March 19, 2008. A copy of this proof of publication is attached hereto as Exhibit D.

7. The Government complied with the publication requirements of Rule G. Rule G(4)(a)(iii)(B) states that "[p]ublished notice must appear . . . only once if, before the action was filed, notice of nonjudicial forfeiture of the same property was published . . . in a newspaper of general circulation for three consecutive weeks in a district where publication is authorized under Rule G(4)(a)(iv)." Rule G(4)(a)(iv) in turns provides that publication may be made "in a newspaper generally circulated in the district where the . . . the property was seized." Here, the DEA published notice once a week for three consecutive weeks in the Wall Street Journal, and the Government published notice once in the New York Law Journal, thereby satisfying the publication requirements of Rule G.

8. No other claims or answers were filed or made in this action, and no other parties have appeared to contest the action to date, and the requisite time periods have expired.

9. Accordingly, the Government requests that the Court enter the proposed Default Judgment.

10. No previous application for the relief requested herein has been sought.

Dated: New York, New York
April 4, 2008

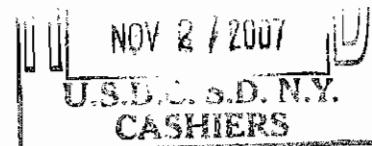


SHARON FRASE
Assistant U.S. Attorney
One St. Andrew's Plaza
New York, New York 10007
Tel. (212) 637-2329

Exhibit A

MICHAEL J. GARCIA
United States Attorney for the
Southern District of New York
By: SHARON E. FRASE (SF-4906)
Assistant United States Attorney
One St. Andrew's Plaza
New York, New York 10007
Tel. (212) 637-2329

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
UNITED STATES OF AMERICA,
:
-----X

-----X
: VERIFIED COMPLAINT

ONE 2004 GRAY GMC ENVOY,
:
-----X

07 Civ.
:
-----X

Plaintiff United States of America, by its attorney,
Michael J. Garcia, United States Attorney for the Southern
District of New York, for its complaint alleges as follows:

I. NATURE OF THE ACTION

1. This action is brought pursuant to 21 U.S.C. § 881 by the United States of America seeking the forfeiture of One 2004 Gray GMC Envoy with Vehicle Identification Number 1GKDT13S842431891, Virginia license plate number JYY2299 ("the defendant vehicle"). The action arises from the use of the defendant vehicle in the transportation, receipt, and possession of narcotics, the intended proceeds of which were discovered during a consensual search of the defendant vehicle on June 15, 2007.

II. JURISDICTION AND VENUE

2. This Court has jurisdiction pursuant to 28 U.S.C. §§ 1345 and 1355. Venue is proper under 28 U.S.C. §§ 1335(a) and 1395 because the acts and omissions giving rise to the forfeiture occurred in the Southern District of New York, the action accrued in the Southern District of New York and the defendant vehicle was found and seized within the Southern District of New York.

3. The defendant vehicle is presently in the custody of the United States Marshals Service ("USMS") in the Defense Support Services, LLC, storage facility at 40A Cotters Lane, East Brunswick, New Jersey, 08816.

III. PROBABLE CAUSE FOR FORFEITURE

4. On or about June 15, 2007, New York Drug Enforcement Task Force ("NYDETF") Group T-23 Task Force Officer Detective Politoski received information from a confidential source ("CS") about a possible narcotics transaction involving multiple kilograms of cocaine in the Washington Heights neighborhood of Manhattan. Based on information provided by the confidential source, Detective Politoski conducted a stop of a 2004 GMC Envoy bearing Virginia license plate JYY2299. The 2004 GMC Envoy was later determined to be registered to Vince Lamont Staples, of Hampton, Virginia. The driver of the vehicle was Pedro Pabon.

5. Pabon gave Detective Politoski verbal consent to search the vehicle. Pursuant to Task Force procedures, the 2004 GMC Envoy was transported to the 30th Precinct, where a search of the vehicle resulted in the discovery of a hidden compartment under the back seat of the vehicle. During the search of the car, a New York State Trooper assigned to the NYDETF, Investigator Torres, removed from the hidden compartment \$49,000 in United States Currency.

6. Pabon made a verbal statement to Detective Politoski and NYPD Sergeant Nappi while at the 30th precinct, stating that the GMC Envoy was not his car and he did not know anything about the hidden compartment or the money. The 2004 GMC Envoy, with Vehicle Identification Number 1GKDT13S842431891, and the \$49,000 in United States Currency, were seized, and Pabon was arrested on narcotics charges.

IV. CLAIM FOR FORFEITURE

7. Incorporated herein are the allegations contained in paragraphs one through six of the Complaint.

8. Pursuant to 21 U.S.C. § 881 (a)(4), vehicles which are used, or intended for use, to transport, or in any manner to facilitate the transportation, sale, receipt, possession, or concealment of, controlled substances which have been manufactured, distributed, dispensed, or acquired in violation of Title 21 of the United States Code, are subject to seizure and

forfeiture to the United States, and no property right exists in such property.

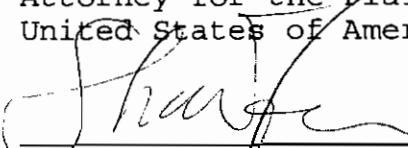
9. The defendant vehicle was used and was intended for use to transport and to facilitate the transportation, sale, receipt, possession, and concealment of cocaine.

10. By reason of the foregoing, the defendant vehicle became and is subject to forfeiture to the United States of America, pursuant to 21 U.S.C. § 881.

WHEREFORE, plaintiff United States of America prays that process issue to enforce the forfeiture of the defendant vehicle and that all persons having an interest in the defendant vehicle be cited to appear and show cause why the forfeiture should not be decreed; and that this Court decree forfeiture of the defendant vehicle to the United States of America for disposition according to law; and that this Court grant plaintiff such further relief as this Court may deem just and proper, together with the costs and disbursements of this action.

Dated: New York, New York
November 27, 2007

MICHAEL J. GARCIA
United States Attorney for the
Southern District of New York
Attorney for the Plaintiff
United States of America

By: 

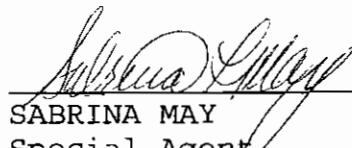
SHARON A. FRASE (SF-4906)
Assistant United States Attorney
One St. Andrew's Plaza
New York, New York 10007
Telephone: (212) 637-2329

VERIFICATION

STATE OF NEW YORK)
COUNTY OF NEW YORK :
SOUTHERN DISTRICT OF NEW YORK)

SABRINA MAY, being duly sworn, deposes and says that she is a Special Agent with the Drug Enforcement Administration, New York Drug Enforcement Task Force, and as such has responsibility for the within action; that she has read the foregoing complaint and knows the contents thereof, and that the same is true to the best of her own knowledge, information and belief.

The sources of deponent's information and the grounds of her belief are official records and files of the New York City Police Department, the State of New York, and the United States Government, and information obtained directly by deponent during an investigation of alleged violations of Title 21, United States Code.



SABRINA MAY
Special Agent
New York Drug Enforcement Task Force
Drug Enforcement Administration

Sworn to before me this
27th day of November, 2007



NOTARY PUBLIC
MICHAEL D. MCNAMEE
Notary Public, State of New York
No. 02MA6088084
Qualified in New York County
Commission Expires May 10, 2011
May 10, 2011

Exhibit B

JUDGE HOLWELL

FORM USA-33s-467

WARRANT FOR ARREST OF ARTICLE IN REM

UNITED STATES OF AMERICA) : ss: 07 Civ.
SOUTHERN DISTRICT OF NEW YORK)

THE PRESIDENT OF THE UNITED STATES OF AMERICA

To the Marshal of the Southern District of New York -- GREETING:

WHEREAS, a complaint has been filed in the United States District Court for the Southern District of New York on the 27th day of November, 2007 by UNITED STATES OF AMERICA, Plaintiff, against One 2004 Gray GMC Envoy.

Defendant-in-rem,

upon a civil and maritime claim for seizure and condemnation of said articles for the reasons and causes in the said complaint mentioned and praying for process of warrant for the arrest of the said articles, and that all persons interested in the said articles may be cited in general and special to answer the premises; and all proceedings being had, that the said articles may for the causes in the said complaint mentioned be condemned and forfeited to the use of the UNITED STATES OF AMERICA.

You are therefore hereby commanded to attach the said articles and to detain the same in your custody until the further order of the Court respecting the same, and to give due notice to all persons claiming the same or knowing or having anything to say why the same should not be condemned and forfeited pursuant to the prayer of said complaint that they must file their claims with the Clerk of this Court within thirty (30) days after the execution of this process or within such additional time as may be allowed by the Court and must serve their answers within twenty (20) days after the filing of their claims, and that you promptly after execution of this process file the same in this Court with your return thereon.

WITNESS, THE HONORABLE Kimba M. Wood, Chief Judge of said Court, at New York, New York in the Southern District of New York this 27th day of November, 2007,

J. MICHAEL McMAHON

CLERK

Patricia
DEPUTY CLERK

MICHAEL J. GARCIA
United States Attorney
~~Southern District of New York~~

By:

SHARON E. FRASE (SF-4906)
Assistant United States Attorney
Attorney for Plaintiff
Telephone No.: (212) 637-2329

NOTE: Claimant is required to file claim in the Clerk's Office and to answer or except to said complaint within the times above fixed; otherwise, the plaintiff may enter an interlocutory or final judgment as may be appropriate.

This warrant is issued pursuant to Rule C (3) of the Supplementary Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure.

Exhibit C

U.S. Department of Justice



*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

November 30, 2007

CERTIFIED MAIL-RETURN
RECEIPT REQUESTED
Vince Lamont Staples
[REDACTED]
Hampton, VA 23669

Re: U.S. v. ONE 2004 GRAY GMC ENVOY
07 Civ. 10630 (RJH)

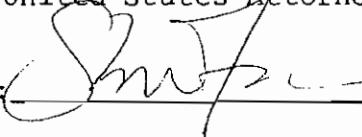
Dear Mr. Staples:

This letter is to advise you that on November 27, 2007, the United States commenced a civil action in the United States District Court for the Southern District of New York seeking the forfeiture of the above-referenced property pursuant to 21 U.S.C. § 881. A copy of the complaint in this action is enclosed.

Should you wish to contest the forfeiture, you must do so by filing a claim pursuant to Rule G of the Supplemental Rules for Certain Admiralty and Maritime Claims and Asset Forfeiture Actions of the Federal Rules of Civil Procedure with the Clerk of the Court no later than thirty five (35) days of the date of this letter. Thereafter, within twenty (20) days after filing a claim, you must file your answer to the complaint. This procedure must be followed regardless of any petition for the remission or mitigation of forfeiture which you may have pending, and failure to do so could result in the entry of a default judgment against the property.

Very truly yours,

MICHAEL J. GARCIA
United States Attorney

By: 

Sharon Frase
Assistant United States Attorney
Tel. No.: (212) 637-2329
Fax No: (212) 637-0421

Enclosure

7400
4034
0000
2260
2003
7003

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Postmark Here	
ENVOY	
Sent To Street, Apt. No. or PO Box No. City, State, ZIP+4	
Vince Lamont Staples [REDACTED] Hampton, VA 23669	
PS Form 3800, June 2002 See Reverse for Instructions	

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 		A. Received by (Please Print Clearly) Vince Staples B. Date of Delivery 12-11-07 C. Signature X D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
1. Article Addressed to: Vince Lamont Staples [REDACTED] Hampton, VA 23669		3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
2. Article Number (Copy from service label)		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes 7003 2260 0000 4034 7400	

PS Form 3811, July 1999 Domestic Return Receipt GMC Envoy 102595-00-M-0952

U.S. Department of Justice



*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

November 30, 2007

CERTIFIED MAIL-RETURN

RECEIPT REQUESTED

Pedro Pabon

New York, NY 10035

Re: U.S. v. ONE 2004 GRAY GMC ENVOY
07 Civ. 10630 (RJH)

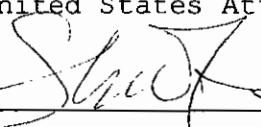
Dear Mr. Pabon:

This letter is to advise you that on November 27, 2007, the United States commenced a civil action in the United States District Court for the Southern District of New York seeking the forfeiture of the above-referenced property pursuant to 21 U.S.C. § 881. A copy of the complaint in this action is enclosed.

Should you wish to contest the forfeiture, you must do so by filing a claim pursuant to Rule G of the Supplemental Rules for Certain Admiralty and Maritime Claims and Asset Forfeiture Actions of the Federal Rules of Civil Procedure with the Clerk of the Court no later than thirty five (35) days of the date of this letter. Thereafter, within twenty (20) days after filing a claim, you must file your answer to the complaint. This procedure must be followed regardless of any petition for the remission or mitigation of forfeiture which you may have pending, and failure to do so could result in the entry of a default judgment against the property.

Very truly yours,

MICHAEL J. GARCIA
United States Attorney

By: 

Sharon Frase
Assistant United States Attorney
Tel. No.: (212) 637-2329
Fax No: (212) 637-0421

Enclosure

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

ENVOY

Sent To
 Pedro Pabon
 Street, Apt. No. _____
 or PO Box No. _____
 New York, NY 10035
 City, State, Zip _____

PS Form 3800, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Received by (Please Print Clearly) B. Date of Delivery <i>12/4/01</i></p> <p>C. Signature  <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>1. Article Addressed to:</p> <p>Pedro Pabon New York, NY 10035</p>		<p>3. Service Type</p> <p><input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number (Copy from service label)</p> <p>2003 2260 0000 4034 7394</p>			

PS Form 3811, July 1999 Domestic Return Receipt GMC ENVOY 102595-00-M-0952

U.S. Department of Justice



United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

November 30, 2007

CERTIFIED MAIL-RETURN

RECEIPT REQUESTED

Edward D. Wilford

[REDACTED]
New York, NY 10007

Re: U.S. v. ONE 2004 GRAY GMC ENVOY
07 Civ. 10630 (RJH)

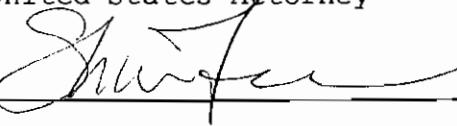
Dear Mr. Wilford:

This letter is to advise you that on November 27, 2007, the United States commenced a civil action in the United States District Court for the Southern District of New York seeking the forfeiture of the above-referenced property pursuant to 21 U.S.C. § 881. A copy of the complaint in this action is enclosed.

Should you or your client wish to contest the forfeiture, you must do so by filing a claim pursuant to Rule G of the Supplemental Rules for Certain Admiralty and Maritime Claims and Asset Forfeiture Actions of the Federal Rules of Civil Procedure with the Clerk of the Court no later than thirty five (35) days of the date of this letter. Thereafter, within twenty (20) days after filing a claim, you must file your answer to the complaint. This procedure must be followed regardless of any petition for the remission or mitigation of forfeiture which you may have pending, and failure to do so could result in the entry of a default judgment against the property.

Very truly yours,

MICHAEL J. GARCIA
United States Attorney

By: 

Sharon Frase
Assistant United States Attorney
Tel. No.: (212) 637-2329
Fax No: (212) 637-0421

Enclosure

4034 7417

7003 2260

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

ENVOY

Sent To
 Street, Apt. No.
 or PO Box No.
 City, State, ZIP+4

Edward D. Wilford, Esq.
 [REDACTED]
 New York, NY 10007

PS Form 3800, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Received by (Please Print Clearly) B. Date of Delivery</p> <p><i>DEC - 4 2007</i></p> <p>C. Signature <i>E. Stalter</i></p> <p><input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>1. Article Addressed to:</p> <p>Edward D. Wilford, Esq. [REDACTED] New York, NY 10007</p>		<p>3. Service Type</p> <p><input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number (Copy from service label)</p> <p>7003 2260 0000 4034 7417</p>			

PS Form 3811, July 1999 Domestic Return Receipt GMC ENVOY 102595-01-M-0952

Exhibit D

Service of Process:

1:07-cv-10630-RJH United States of America v. One 2004 Gray GMC Envoy
ECF

U.S. District Court

United States District Court for the Southern District of New York

Notice of Electronic Filing

The following transaction was entered by Frase, Sharon on 3/19/2008 at 10:14 AM EDT and filed on 3/19/2008

Case Name: United States of America v. One 2004 Gray GMC Envoy
Case Number: 1:07-cv-10630
Filer: United States of America
Document Number: 2

Docket Text:

SERVICE BY PUBLICATION. A Notice of Forfeiture was published in the New York Law Journal on February 13, 2008. Document filed by United States of America. (Frase, Sharon)

1:07-cv-10630 Notice has been electronically mailed to:

Sharon E. Frase sharon.frase@usdoj.gov, usanys.ecf@usdoj.gov

1:07-cv-10630 Notice has been delivered by other means to:

The following document(s) are associated with this transaction:

Document description: Main Document

Original filename: n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1008691343 [Date=3/19/2008] [FileNumber=4388000-0] [9489069051323eb0c36bfc837d3044d39d2e2c95c644789ec8b10a51a2f4bc01abb723b1003c8540aceb5665be9e957a8dd4a2a500cba640b04ae6157d94d677]]

U.S. Department of Justice
United States Marshals Service

ORIGINAL

PROCESS RECEIPT AND RETURN

See Instructions for "Service of Process by the U.S. Marshal"
on the reverse of this form.

PLAINTIFF		COURT CASE NUMBER
UNITED STATES OF AMERICA		07 Civ 10630 (RJH)
DEFENDANT		TYPE OF PROCESS
One 2004 Gray GMC Envoy		Publication
SERVE	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN	
►	Sandy Moo, USMS	
ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)		
AT	500 Pearl Street, New York, New York 10007	

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:		Number of process to be served with this Form - 285	Number of parties to be served in this case	Check for service on U.S.A.
UNITED STATES ATTORNEY'S OFFICE SOUTHERN DISTRICT OF NEW YORK				
ONE SAINT ANDREW'S PLAZA NEW YORK, NY 10007-1703 ATTENTION: Renee Spilker				

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVER (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Foid

Fold

Please publish the following notice of publication in a newspaper of general circulation (only publish once)

CATS #07-DEA-485881 Please return to paralegal Renee Spilker, 212-637-1074

Signature of Attorney or other Originator requesting service on behalf of: AUSA Sharon Frase /R/	<input checked="" type="checkbox"/> PLAINTIFF	TELEPHONE NUMBER	DATE
	<input type="checkbox"/> DEFENDANT	212-637-2329	12/5/07

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only if one USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin No.	District to Serve No.	Signature of Authorized USMS Deputy or Clerk	Date
		54	54	Sandy Moo	1/25/08

I hereby certify and return that I have personally served, have legal evidence of service, have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)	A person of suitable age and discretion then residing in the defendant's usual place of abode.
--	--

Address (complete only if different than shown above)	Date of Service 2/26/08	Time am pm
	Signature of U.S. Marshal or Deputy	

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or Amount of Refund
-------------	---	----------------	---------------	------------------	---

REMARKS: 2/26/08 - Notice was published in the New York Law Journal on February 13, 2008.
(copy attached)

U.S. ATTORNEY COPY

STATE OF NEW YORK

County of New York, S:

MISCELLANEOUS

USA-33s-100-
NOTICE OF CIVIL
FORFEITURE
PROCEEDING Rev. 11/94UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK — On November 27, 2007, the United States of America commenced a civil action demanding forfeiture thereof under the provisions of 21 U.S.C. § 881, for One 2004 Gray GMC Envoy, '07 Civ. 10630 (RJD).

Notice is hereby given that all persons claiming the same or knowing or having anything to say why the same should not be forfeited pursuant to the prayer of said complaint, must file their claim in accordance with Rule G from the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions with the Clerk of the Court, in Room 120, United States Court House, 500 Pearl Street, New York, New York, by March 14, 2008, which is 30 days after the last publication of this action or within such additional time as may be allowed by the Court, and must serve their answers within 20 days after the filing of their claims, or default and forfeiture will be ordered. Any person with an interest in the property may also wish to file a petition for remission or mitigation of the forfeiture, as provided for in Title 28, Code of Federal regulations, and failure to file such a petition may affect any rights that a person claiming an interest in the property may have with respect to this property.

FOR NOTICE OF FUTURE PUBLICATIONS, GO TO: WWW.FORFEITURE.GOV

On December 1, 2006, Rule G of the Supplemental Rules of Certain Admiralty and Maritime Claims, part of the Federal Rules of Civil Procedure, became effective. This new rule now governs procedures for civil and criminal asset forfeiture actions in the federal courts.

Notice of judicial forfeiture actions has traditionally been published in newspapers. The new rule now permits publication of forfeiture notices on a government internet site (www.forfeiture.gov), and this site incorporates these forfeiture notices that have been traditionally published in newspapers.

Once this site is fully operational (tentative launch January 2008), civil and criminal forfeiture notices will continue to be published in newspapers for a period of time before newspaper publication is eventually abandoned in favor of this website. The website will contain a comprehensive list of pending notices of both civil and criminal forfeiture actions in United States District Courts around the country.

Dated: New York, New York December, 2007

MICHAEL J. GARCIA
U.S. Attorney/SDNY

JOSEPH R. GUCCIONE
U.S. Marshal/SDNY

963173 f13-1t

Cynthia Byrd, being duly sworn, says that she is the PRINCIPAL CLERK of the Publisher of the NEW YORK LAW JOURNAL, a Daily Newspaper; that the Advertisement hereto annexed has been published in the said NEW YORK LAW JOURNAL one time on the 13th day of February, 2008.

TO WIT: FEBRUARY 13, 2008

Cynthia Byrd

SWORN TO BEFORE ME, this 13th day

Of February, 2008.

JH

Jennifer Hannafey
Notary Public, State of New York
No. 01ha6128042
Qualified in Richmond County
Commission Expires June 09, 2009

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

- v -

ONE 2004 GRAY GMC ENVOY,

Defendant-in-rem.

PUBLICATION AFFIDAVIT
07 CIV 10630 (RJH)

MICHAEL J. GARCIA
United States Attorney for the
Southern District of New York
Attorney for the United States of America
One St. Andrew's Plaza
New York, New York 10007
(212) 637-2329

SHARON FRASE
Assistant United States Attorney
-Of Counsel-

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

- v -

ONE 2004 GRAY GMC ENVOY,

Defendant-in-rem.

**AMENDED
DECLARATION IN SUPPORT OF
DEFAULT JUDGMENT
07 CIV 10630 (RJH)**

MICHAEL J. GARCIA
United States Attorney for the
Southern District of New York
Attorney for the United States of America
One St. Andrew's Plaza
New York, New York 10007
(212) 637-2329

SHARON FRASE
Assistant United States Attorney
-Of Counsel-